

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

- Alexandria Division –

**PROFESSIONAL MASSAGE
TRAINING CENTER, INC.**

versus

**ACCREDITATION ALLIANCE OF
CAREER SCHOOLS AND COLLEGES**

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Case No. 1:12-cv-00911-LO-IDD

Judgment: January 17, 2014

**DEFENDANT ACCSC's MEMORANDUM IN SUPPORT OF ITS
MOTION PURSUANT TO RULE 62 TO APPROVE SUPERSEDEAS BOND
AND STAY EXECUTION OF JUDGMENT**

Defendant ACCSC has moved this Court pursuant to Rule 62 of the Federal Rules of Civil Procedure for this Court's approval of a supersedeas bond to stay execution of the judgment entered in this case entered on January 17, 2014.

BACKGROUND

On January 17, 2014, this Court entered judgment in this matter. The Court found in favor of Plaintiff, Professional Massage Training Center ("PMTTC") on Count 1 of the Complaint and for ACCSC on Counts 2-6.

In finding for PMTC on Count 1, this Court awarded money damages in the amount of \$429,016.62.

PROPOSED SUPERSEDEAS BOND

ACCSC requests the judgment for money damages entered on January 17, 2014 be stayed pending any post-judgment motions or any appeal to the Fourth Circuit. In order to stay the money damages portion of the judgment, ACCSC should to post a bond with the Clerk of the Court.

The amount of the bond should be sufficient or provide security for the judgment amount plus interest. ACCSC is prepared to post a bond in the amount of 110% of the judgment, which is \$471,918.28.

ACCSC, through its surety, will submit the bond to the Clerk's Office shortly after the Court's order is entered.

For the reasons stated above, ACCSC requests that this Court enter an order suspending execution of the Final Order upon the conditions stated above and directing Plaintiff PMTC not to take any steps to enforce or execute on the judgment until all post-trial motions and appeals in this case have been exhausted, and for such further and additional relief as this Court deems proper and just. A proposed order is attached as Exhibit A to the Motion.

Respectfully Submitted,

**ACCREDITATION ALLIANCE OF
CAREER SCHOOLS AND COLLEGES**

By Counsel

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CERTIFICATE OF ELECTRONIC SERVICE

I hereby certify that on January 24, 2014 I attempted to serve the forgoing Memorandum by electronic filing. The PACER system was not available; the Clerk's Office advised me that the PACER system was down, and that I should file after it is restored. I further certify that on January 25, 2014, I served the foregoing Motion and Memorandum by electronic filing upon the following counsel of record:

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